

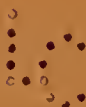
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CITY OF SALEM, MASS.

Ordinances, etc.



BUILDING ORDINANCE



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CITY OF SALEM, MASS.

BUILDING ORDINANCE

I.

CITY OF SALEM.

In the year one thousand nine hundred and seventeen.

AN ORDINANCE relating to buildings.

Be it ordained by the City Council of the City of Salem, as follows:—

Section 1. For the purpose of securing the prevention of fire and the preservation of life, health and morals, the City Council hereby regulates the inspection, materials, construction, alteration, repair, height, area, location and use of buildings, and other structures, within the limits of the City of Salem, and established fire limits, as hereinafter provided.

Section 2. The Superintendent of Public Property shall be the Inspector of buildings who shall perform the duties set forth in these ordinances. He may subject to the approval of the City Council, appoint a deputy who shall assist him in the

performance of these duties. He shall also keep a record of the business of his office, including all violations of the ordinances relating to buildings, and shall annually on the first day of January, submit to the City Council, a report of his doings during the preceding fiscal year. Said inspector, on being informed by report or otherwise that a building or other structure or anything attached to or connected therewith is unsafe or dangerous to life or limb, shall inspect the same, and if it appears to him that it is thus dangerous, he shall forthwith take such action as the laws of the Commonwealth require. He shall generally perform such duties as may be required of him by law or ordinance.

Section 3. No building, structure or foundation of any sort shall be erected, constructed, repaired or materially altered without a permit from the Inspector of Buildings. Unless building operations are begun within ninety days from the date a permit is issued, said permit shall be void.

Section 4. An application for a permit must be made upon the regular blanks provided for this purpose by the City and must be accompanied by two sets of full working plans and specifications. The application shall be filed with the Inspector of Buildings who shall forthwith determine if the work proposed conforms to the provisions of the statutes of the Commonwealth and the ordinances of the City.

Section 5. When a permit for building is issued, the Inspector shall stamp one set of drawings and deliver same to the applicant with his permit. This stamped set of drawings shall be kept on the premises of the building at all times and shall be open for examination to the Inspector, or his assistants.

Section 6. The plans to be filed with the application for permit must show the arrangement of the lot, and in plan, the design of the exterior, the materials of construction and finish and in a general way the system of heating to be used, but a separate permit must be taken out for heating, plumbing, and electric work. Permits for such portions of the work may be applied for after the building is under way, and shall be granted in the manner provided by ordinance.

Section 7. No work shall be constructed at variance with the said plans and permit without the written approval of the Inspector of Buildings. The said Inspector shall have the power to stop any work in the process of being constructed either without a permit or not in conformity to the permit granted, and to remove or cause the removal of the same at the expense of the owner of the property.

Section 8. A permit shall be a license, any violation of the terms of which, shall be deemed adequate cause for its immediate revocation by the City Council.

Section 9. No plans for the erection of build-

ings shall be considered by the Inspector unless they have been prepared by and bear the name of an engineer or architect or other person whom the Inspector deems competent.

Section 10. The Inspector shall examine all churches, halls, or other buildings or structures, used, or intended to be used, temporarily or permanently, for any public use, and all school houses or school rooms, public or private, and buildings used, or intended to be used for manufacturing purposes, and if he finds that any of said buildings or rooms are deficient in proper facilities or egress, in case of fire or accident, either in number, width, construction or arrangement of the entrances, aisles, passageways, or stairways, or by reason of inner doors opening inward, or from any other cause whatever, arising from the manner of construction, alteration, or repair of the premises, he shall at once notify the state inspector of factories and public buildings.

Section 11. Whenever it appears to the Inspector that, if any of the buildings or structures, or portions thereof, mentioned in the foregoing section, the security of the public is temporarily endangered by the use of combustible stuff or materials; or that benches, stools, or other obstructions are temporarily placed in the aisles or passageways thereof in such manner as to prevent free egress in case of fire or accident during the time when the same

may be opened to the public; or that benches, chairs, or settees are temporarily so arranged as not to afford proper egress in case of fire or accident; or that outer doors opening inward are not kept open when such buildings or structures are used by the public; then, and in either of such cases, the Inspector shall notify the person for the time being having charge of the premises, and require such person at once to make the premises safe, and if he refuses or neglects to do so, the Inspector shall remove the obstructions and prosecute the offender.

Section 12. All outer doors of buildings and structures mentioned in Section 10 of this chapter shall be kept open when such buildings or structures are used by the public, unless such doors open outwards, and except that fly doors opening both ways may be kept closed. All inner doors of such buildings and structures shall be made so as to open outward, and said inspector is hereby authorized to enter any of such buildings or structures at all reasonable hours for the purpose of ascertaining whether or not any of the provisions of this chapter are being violated.

Section 13. The City Council shall issue licenses to all builders found by them to be qualified and competent. The fee for such licenses shall be five dollars and all such licenses shall continue in force until revoked, provided, however, that in case a

builder has received a license from the Salem Rebuilding Commission, no additional fee shall be required for the issuance of a license by the City Council.

Section 14. No building or structure of any kind shall be erected except by and under the direction of a builder licensed as aforesaid. Every such builder must at all times maintain a suitable foreman upon the premises and if required by the Inspector of Buildings he must in addition thereto, at his own expense, supply necessary inspectors, approved by the Inspector of Buildings for the supervision of reinforced concrete work, or for any other difficult or unusual construction.

Section 15. Whenever the Inspector of Buildings shall reject or refuse to approve the mode or manner of construction proposed to be followed, or materials to be used in the erection and alteration of any building or structure, or when it is claimed that the rules and specifications of the Inspector of Buildings, or the provisions of this Ordinance do not apply, or that an equally good or more desirable form of construction can be employed in any specific case, the owner of such building or structure, or his duly authorized agent, may appeal within thirty days from the decision of the Inspector where the amount involved by such decision shall exceed the sum of five hundred dollars to the City Council.

The decision shall specify the variations allowed and the reasons therefor, and shall be filed in the office of the Inspector within ten days after the hearing. A certified copy shall be sent by mail or otherwise to the applicant, and a copy kept publicly posted in the office of the Inspector for two weeks thereafter. If the order or refusal of the Inspector is affirmed, such order or refusal shall have full force and effect. If the order or refusal is modified or annulled, the Inspector shall issue a permit in accordance with such decision.

Section 16. Methods of construction, material or maintenance, equivalent to those required by the provisions of this ordinance, may be allowed with the written consent of the City Council specifying the same. A record of the required and the equivalent method allowed shall be kept in the office of the Inspector. Any requirement necessary for the strength or stability of any proposed structure or for the safety of the occupants thereof, not specifically covered by this ordinance, shall be determined by the Inspector subject to appeal.

Section 17. The provisions of this ordinance shall not apply to buildings and structures owned or occupied by the United States, the Commonwealth of Massachusetts, nor to the construction of bridges, quays or wharves.

Section 18. No provision or requirement of this ordinance shall in any way be construed to alter or

modify any of the legal regulations, now existing, or hereafter enacted and coming under the control of the Massachusetts District Police for Regulation and construction of garages and boilers or state regulations of elevators.

Fourth class garages built nearer than five feet from lot line shall be in accordance with requirements for third class garages.

The erection, alteration and repair of all buildings besides conforming to provisions of this ordinance, shall be subject to the statutes of the Commonwealth and to all other ordinances of the City of Salem not inconsistent therewith.

Section 19. The fire limits of the City of Salem shall include all that part of the city inclosed by the following described lines:— Beginning at corner of Summer and Essex Streets, then running southerly through the middle of Summer Street to Endicott, then easterly through the middle of Endicott Street to Mill Street, then southerly through the middle of Mill Street to Canal Street, then southerly through the middle of Canal Street to Pond Street, then easterly through the middle of Pond Street to Washington Street, then diagonally across Washington Street to Harbor Street, then easterly through middle of Harbor Street to Congress Street, then northerly through the middle of Congress Street to South River, then easterly through middle of South River to Union Street,

then northerly through middle of Union Street to Derby Street, then westerly through middle of Derby Street to Hawthorne Place, then northerly through middle of Hawthorne Place and Washington Square West to Brown Street, then westerly through middle of Brown Street to Howard Street, then northerly through middle of Howard Street to Boston & Maine railroad tracks, then westerly along said tracks to Bridge Street, then westerly through middle of Bridge Street to North Street, then southerly through middle of North Street to Essex Street.

Section 20. The following terms used in this ordinance shall have the meanings assigned in this section, viz:—

Alcove Room. An “alcove room” is an alcove used for sleeping purposes.

“Alteration” means any change or addition other than “repairs.”

A “half story” or attic is any story included in the roof, the cubic contents of which, exclusive of blind attic not exceeding three feet in height at the highest point, is not more than sixty per cent of the cubic contents of the first story.

“Bay window.” A window projecting beyond the outer face of a wall which may or may not be built upon a foundation.

A “basement” is a story partly underground but having at least sixty per cent of its height above

the curb level, and also sixty per cent of its height above the highest level of the adjoining ground. A basement shall be counted as a story.

"Builder" means a builder licensed in accordance with the provisions of this chapter.

A "cellar" is a story having more than forty per cent of its height below the curb level, or below the highest level of the adjoining ground. A cellar shall not be counted as a story for purposes of height measurement. If any part of the story is in that part the equivalent of a basement or cellar, the provisions of this ordinance relative to basements and cellars shall apply to such part of said story.

Classes of Dwellings: For the purposes of this ordinance, dwellings are divided into the following classes: (a) "Private dwellings", (b) "two-family dwellings", and (c) "multiple dwellings."

(a). A "private dwelling" is a dwelling occupied by one family only.

(b) A "two-family dwelling" is a dwelling occupied by two families only.

(c) A "multiple dwelling" is a dwelling occupied otherwise than as a private-dwelling or two-family dwelling.

Classes of multiple dwellings. All multiple dwellings for the purposes of this ordinance, are divided into two classes, viz.: Class A and Class B.

Class A. Multiple dwellings of Class A are

dwellings which are occupied more or less permanently for residence purposes by several families and in which the rooms are occupied in apartments, suites or groups. This class includes tenement houses, flats, apartment houses, apartment hotels, bachelor apartments, kitchenette apartments and all other dwellings similarly occupied, whether specifically enumerated or not.

Class B. Multiple dwellings of Class B are dwellings which are occupied, as a rule transiently, as the more or less temporary abiding place of more than six individuals who are lodged, with or without meals, and in which as a rule the rooms are occupied singly. This class includes hotels, lodging-houses, furnished-room houses, boarding-houses, lodgings, club-houses, dormitories, convents, private hospitals, private asylums, and all other dwellings similarly occupied, whether specifically enumerated herein or not. A "hotel" is a building in which persons are lodged for hire, and in which there are more than forty rooms, a public dining room for the accommodation of at least forty guests, and a general kitchen. National, state and county institutions are exempt from the provisions of this ordinance.

Courts. A "court" is an open, unoccupied space, other than a yard, on the same lot with a dwelling. A court not extending to the street or front or rear or side yard is an inner court. A court extending

to the street or front or rear or side yard is an outer court.

Common Hallway. A "Common hallway" is a hallway, corridor or passage-way not within the exclusive control of one family.

Curb level. The "Curb level" is the level of the established curb in front of the building measured at the centre of such front. Where no curb has been established, the City Engineer shall establish such curb level or its equivalent for the purposes of this ordinance.

Curtain wall. Any exterior wall between columns or piers.

Dwelling. A "dwelling" is any house or building or portion thereof which is occupied in whole or in part, as a home, residence or sleeping-place of one or more persons, either permanently or transiently.

"Exterior wall" means that part of the outer wall of a building, other than a party wall, above the foundation wall.

"First floor", "second floor", and "third floor", means the first, second and third floors respectively above the cellar or basement, or above the ground where there is no cellar or basement.

"Foundation wall" means that portion of the outer wall of a building, other than a party wall, below the level of the ground outside said wall.

"Fire door" means a door of Standard construc-

tion, that is, constructed of pine or other soft wood of two thicknesses of $\frac{7}{8}$ inch matched boards, clinch-nailed, at right angles, or placed diagonally with each other, and securely covered with tin, on both sides and edges, with folded lapped joints, the nails for fastening the same being driven inside the lap; the hinges and bolts, or latches, shall be secured or fastened to the door or shutter by wrought-iron bolts, passing through the door or shutter, and secured by nuts and washers on the opposite side after the same has been covered with the tin, and such doors or shutters shall be hung upon a wrought-iron frame, independent of the wood-work of the windows and doors, or to wrought-iron hinges securely fastened in the masonry.

Front, rear and depth of lot. The "front" of a "lot" is that boundary line which borders on the street. In the case of a corner lot the owner may elect by statement on his plans either street boundary line as the front. The "depth" of a "lot" is the dimension measured from the front of the lot to the extreme rear line of the lot. In the case of irregularly shaped lots the mean depth shall be taken.

Height. The "height" of a dwelling is the perpendicular distance measured in a straight line from the curb level, or from the finished grade line of the lot where such grade is higher than the curb,

to the average of the height of the gable in the case of pitched roofs, and to the highest point of the roof beams in the case of flat roofs, except that in the case of flat roofs a parapet exceeding three feet in height shall be considered a part of the height of the building, the measurements in all cases to be taken through the center of the front of the house. Where a dwelling is on a corner lot and there is more than one grade or curb level, the measurements shall be taken through the center of the front on the street having the lowest elevation.

“Inspector” means the Inspector of Buildings for the City of Salem and his assistants.

“Lots.” A “corner lot” is a lot situated at the junction of two or more intersecting streets. A lot other than a corner lot is an “interior lot.”

“Lodging house”, means a building in which more than six persons are accommodated with sleeping apartments for hire, and includes hotels and apartment houses where cooking is not done in the several apartments.

“Party wall” means every wall used, or built in order to be used, for joint service between two buildings.

“Partition wall” means any interior wall of masonry in a building.

“Person” means any person, firm or corporation.

“Repairs” means the reconstruction or renewal of any existing part of a building or of its fixtures or appurtenances, by which the strength or fire risk

is affected or changed, and made for the purpose of converting the building in whole or in part into a new one.

A "stair hallway" is a common hallway and includes the stairs, stair landings and those portions of the building through which it is necessary to pass in going between the entrance floor and the roof.

"Tenement house" means a building which, or any portion of which, is occupied, or intended to be occupied, as a dwelling by more than three families living independently of one another and doing their cooking upon the premises, or by more than two families above the second floor, so living and cooking.

"Thickness" of a wall means the minimum thickness of such wall.

Yards. A "rear yard" is an open, unoccupied space on the same lot with a dwelling between the extreme rear lines of the house and the extreme rear line of the lot. A "front yard" is an open unoccupied space between the front line of the house and the front line of the lot. A "side yard" is an open, unoccupied space between the side line of the house and the side line of the lot extending from the street on front yard to the rear yard.

The expression "warehouse class" shall be taken to mean and include the following buildings:

Armories	Office buildings
Carriages	Police Stations
Churches	Printing houses
Court Houses	Public Assembly halls
Fire Stations	Pumping Stations
Jails	Railroad and railway
Libraries	Railroad and Railway
Markets	buildings
Museums	Refrigerating houses
Warehouses	Slaughter houses
Conservatories	Stores
	Stables

CLASSIFICATION AND ERECTION OF BUILDINGS.

Section 21. All buildings to be erected must be built in conformity to the requirements of the particular class to which said buildings belong as shown by the classification in the preceding sections.

Section 22. (a) A first class building shall consist of fireproof material throughout, including walls, partitions, floors, etc.

In such construction wood may be used only for finished floors, inside finish, windows and doors and isolated furring.

(b) A second class building shall mean any building not of the first class whose external and party walls are constructed of self-sustaining, incombustible material including cornices, etc. In-

terior partitions, floors and roof framing may be of wood.

A second class building shall be limited to five stories of sixty-five feet in height.

(c) A mill frame building shall mean any building without hollow or concealed spaces; having wood frame covered with suitable boarding and slate or asbestos, metal, or other incombustible material for exposed surfaces; with roofs of two and three-quarters inch splined or tongued and grooved planking spiked directly to heavy roof timbers not less than six inches in the least dimension, covered with metal or other approved incombustible roof covering; having solid floors, without unprotected openings, constructed of not less than two and three-quarters inch splined, or tongued and grooved planking covered with one inch top flooring laid crosswise or diagonally, properly nailed and having between the top flooring and the planking not less than two thicknesses of waterproof material carefully laid to break joints and flashed at least three inches around all walls, posts or columns with mouldings or mop-boards; in which the size and spacing of floor timbers is suitable for the load to be carried, the timbers in no case being less than seven and one-half inches in the least dimension, and resting on top of girders, or on stirrups, or on iron or steel plates in the walls, or on iron or steel caps of columns; with girders resting on iron

or steel caps of columns, or steel plates in the walls, arranged so as to be self releasing, with columns and posts resting on metal socket caps and bases with raised lip and center pin the size and spacing thereof being suitable for the load to be carried, no wooden column or post being less than seven and one-half inches in the least dimension, and all columns, girders and beams of wood being of solid material and those of iron or steel being protected in a manner satisfactory to the Inspector.

A mill frame building shall be limited to four stories in height and not less than five feet from lot lines unless walls within such distances are constructed of self-sustaining incombustible material.

(d) Ordinary frame shall mean any building whose exterior walls, partitions, floor and roof framing are wood with finished exterior wall surfaces of wood.

Section 23. A third class building shall mean a residence arranged to accommodate more than two families. If not over two and one-half stories high and accommodating not more than four families it may be built in the manner prescribed for fourth class houses, but must have wood stud partitions between each suite and about the stairways covered on both sides with metal lath and hard plaster and filled solid with brick or other equally incombustible material extending from masonry walls in cellar up to the under side of roof boarding and

pierced only from stair halls. If more than two and one-half stories in height and accommodating more than two families, it shall be constructed in the same manner as provided for second class buildings, and shall have wood stud partitions between suites and about the stairways metal lathed and plastered both sides and filled solid with some incombustible material in same manner as described above, and between every other suite the partition shall be an unpierced fire wall extending from cellar bottom to three feet above the roof and from front to rear of same thickness as exterior walls but in no case less than twelve inches in thickness.

Section 24. A fourth class building shall mean a residence arranged to accommodate one or two families and may be constructed with an ordinary frame.

Section 25. A fifth class building shall mean a building used both for habitation and mercantile purposes. If it is arranged to accommodate not more than one family and is not more than two and one-half stories in height nor more than one thousand five hundred feet in area it may be constructed with an ordinary frame, but the exterior shall be covered throughout with some approved, incombustible material.

If it is arranged to accommodate more than one family or is more than two and one-half stories in height or more than one thousand five hundred

feet in area it shall be of either first or second class construction, and not more than four stories or fifty-four feet in height.

Section 26. A sixth class building shall mean any structure intended for use for manufacturing, storage or mill purposes.

They may be of either first, second or mill frame class of construction.

Section 27. Miscellaneous class shall be any structure not classified such as sheds, hen houses, etc. not exceeding one story or twelve feet in height and covering not more than two hundred and fifty feet may be built under the same requirements and restrictions as fourth class buildings.

A building used for commercial, manufacturing, storage or mill purposes outside the fire limits not less than five feet from lot lines, not exceeding one story or twenty feet in height and covering not more than one thousand five hundred square feet of land may be built with an ordinary frame with the exterior walls and cornices covered with slate, tile, metal or some equally incombustible material.

Section 28. Stables to accommodate not more than four horses may be constructed same as required for residences of the fourth class. Stables to accommodate more than four horses shall be of construction same as required for buildings of the first or second class or with mill framed walls not

less than five feet from lot lines, the exterior of which are covered throughout with slate, tile, metal or other equally incombustible material.

Section 29. No portion of any stable, nor of any building used wholly or in part for purposes of human habitation except cornices, shall be built nearer than five feet to the side line of adjoining lot or nearer than ten feet to any building on the same lot, unless the walls of such building within such distances are constructed of brick, concrete or other equally incombustible material not less than eight inches thick, without openings, carried at least twelve inches above the roof, and properly capped with incombustible material. No building used wholly or in part for human habitation shall cover more than seventy-five per cent of the lot or if more than one building is constructed on a single lot the combined areas of the buildings shall not exceed seventy-five per cent of the total area of the lot, except that in the case of a corner lot eighty per cent of the lot may be so covered. The purchase or sale of land after a building is built with exposures as aforesaid shall not permit a reduction in the width of open spaces required by this section.

Section 30. All excavations shall be so protected, by sheet piling or other suitable means, by the persons causing the same to be made, as to prevent the same from becoming dangerous to life or limb.

Whenever an excavation is to be made for any building or other purpose, and there shall be any wall or structure wholly or partly on the adjoining land near the intended excavation, then the party causing such excavation to be made shall notify the owner of said adjoining premises of such intended excavation and also of the depth to which it is proposed to be made.

Section 31. Where no test of the sustaining power of the soil is made, different soils, excluding mud, at the bottom of the footings, shall be deemed safely to sustain the following loads to the superficial foot, namely: soft clay, one ton per square foot; ordinary clay and sand together, in layers, wet and springy, one and one-half tons per square foot; very firm, coarse sand, stiff gravel or hard clay four tons per square foot. Where a test is made of the sustaining power of the soil, the Building Inspector shall be notified and a record of the test shall be filed.

Section 32. Every building shall have suitable foundations of brick, stone, iron, steel or concrete on solid earth or rock, or upon piles where solid earth is not found. Any temporary frame building or shed may rest on a temporary foundation. Foundations shall not be built in wet soil unless the trenches in which the work is being executed are kept free from water, if such is possible, until after the completion of the work upon the foundations.

Foundations of rubble stone laid in cement mortar will be allowed only under buildings less than fifty (50) feet in height, and for a depth not exceeding ten (10) feet.

Section 33. Piles intended to sustain a wall, pier or post shall be spaced not more than thirty-six nor less than twenty inches on centers, and they shall be driven to a solid bearing, if practicable to do so, and the number of such piles shall be sufficient to support the proposed superstructure. No pile shall be used of less dimensions than five inches at the small end and ten inches at the butt for piles less than twenty feet in length. No pile shall be weighted with a load exceeding forty thousand pounds. When a pile is not driven to refusal its safe sustaining power shall be determined by the following formula: twice the weight of the hammer in tons multiplied by the height of the fall in feet divided by the penetration of pile under the last blow in inches plus one. The Building Inspector shall be notified of the time when test piles will be driven. The tops of all piles shall be cut off below the lowest water line as determined by the Building Inspector.

In case concrete piles are used, whether reinforced or not, their bearing power shall be determined by putting in one or more test piles and loading them after the concrete has hardened. The load allowed shall not be more than one-half the

load under which the pile begins to settle. In no case, however, shall the load on a concrete pile exceed that allowed for concrete in columns.

All wooden piles shall be capped with block granite levelers, each leveler having a firm bearing on the pile or piles which it covers, or with first class Portland cement concrete, not less than sixteen inches thick, above the pile caps, containing one part of cement to not more than six parts of properly graded aggregate of stone and sand, the concrete to be filled in around the pile heads upon the intervening earth.

Section 34. Metal in foundations and all structural metal work underground, or in places exposed to wet or dampness, shall be protected from corrosion by concrete or other material approved by the Inspector.

All foundations shall extend at least three and one-half feet below any adjoining surface exposed to frost unless they rest on bed rock, they shall reach through loam or fill to undisturbed natural earth or shall rest on piles. No foundation shall be started on frozen ground. Column and pier foundations shall be installed at the same time as wall foundations and all permanent columns and piers shall be installed as the work progresses ready to receive the superstructure, temporary shores or columns shall not be allowed.

Section 35. For wooden buildings not over one

and one-half stories in height, the foundation walls shall not be less than sixteen inches thick, if of stone, and not less than twelve inches if of brick or concrete; the underpinning walls shall be not less than twelve inches thick if of stone and not less than eight inches thick if of brick or concrete. For wooden buildings not over two and one-half stories in height, the foundation walls shall be not less than sixteen inches thick, if of stone, or twelve inches thick if of brick or concrete. The underpinning walls shall be not less than twelve inches thick if of stone, nor less than twelve inches thick if of brick, and not less than eight inches thick if of concrete. If stone walls are used in the basement of any such structure as provided in this section, they shall be at least four inches thicker than the thickness prescribed for concrete and brick in the table set forth in Section 39.

Section 36. All brick buildings shall have foundation walls built of stone, brick, concrete, iron or steel, and all such walls if of stone or brick shall be laid up with cement mortar. If built of rubble or block stone, they shall be not less than eighteen inches thick and not less than eight inches thicker than the wall next above them to a depth of six feet below the curb or ground level, and if built of brick or concrete shall be not less than four inches thicker than the wall next above them to a like depth below the curb or ground level. The

thickness of all walls below said six feet shall be increased one inch for every foot or fraction thereof. Grillage beams of wrought iron or steel resting on a proper concrete bed may be used for foundations. Such beams shall be provided with separators and bolts, enclosed and filled between with concrete, and of such sizes and so arranged as to carry safely the load imposed.

Section 37. Cement and lime mortar shall be made of one part of lime, one part of cement and not more than three parts sand to each. Cement mortar shall be made of cement and sand in the proportion of one part of cement and not more than three parts of sand, and shall be used immediately after being mixed. The cement and sand are to be measured and thoroughly mixed before adding water. All mortar below grade in masonry buildings shall be cement mortar, for all other masonry cement and lime mortar may be used.

Section 38. In every brick wall, at least every sixth course of brick shall be a full heading course, except where walls are faced with face brick, in which case every sixth course shall be bonded with flemish headers, or every other brick may have a metal tie. All heading courses shall be of good, hard, perfect brick.

Ashlar facing shall not be counted as a part of the thickness of masonry walls unless such facing has alternate courses at least eight inches deep and bonded into the backing, then four inches may be

counted as a part of the wall. No brick wall faced with ashlar or other material shall be less than twelve inches thick.

No wall or walls of any masonry building shall be carried up more than two stories in advance of any other wall.

Section 39. The minimum thickness for all outside, party and division brick or concrete walls above foundations for tenement houses, asylums, club houses, convents, lodging houses, parish houses, schools and studios, shall not be less than the number of inches shown in the following table, except non-bearing division walls in tenement and dwelling houses may be four inches less in thickness, but in no case less than eight inches nor of a greater height unsupported laterally than twenty-eight times its thickness. Fire walls shall in no case be less than twelve inches in thickness and solid throughout.

In buildings where the first story is used for mercantile purposes and stories above used for habitation, the first and basement stories to be in accordance with Section 40, other stories in accordance with this Section.

	B	1	2	3	4	5
1 story	12"	8"				
2 stories	12"	12"	8"			
3 stories	12"	12"	12"	8"		
4 stories	16"	12"	12"	12"	8"	
5 stories	20"	16"	12"	12"	12"	8"

Dwellings of the third class of two and one-half stories or less in height and dwellings of the fourth class may be constructed of walls of minimum thickness of eight inches or with block construction of corresponding strength.

Section 40. The minimum thickness for all outside, party and division brick or concrete walls above the foundations of any building of the warehouse class shall not be less than the number of inches shown in the following table:

	B	1	2	3	4	5
1 story	12	12				
2 stories	16	12	12			
3 stories	16	16	12	12		
4 stories	20	16	16	12	12	
5 stories	20	20	16	16	12	12

Curtain walls may be four inches less in thickness than shown in table above but in no case less than 8 inches provided buttresses are installed at no greater distance apart than any one story.

Buildings of this class outside of the fire limits not exceeding one story or twelve feet in height which under this ordinance could be of wood may have masonry walls 8 inches thick.

Section 41. The height of stories for the thickness of walls given shall not exceed for the first story sixteen feet in the clear, for the second story,

fourteen feet in the clear, for the third story, twelve feet in the clear, for the fourth story, eleven feet in the clear; and if any story exceeds the foregoing height, the walls of any such story shall be increased four inches in thickness.

Section 42. For buildings in the warehouse class, twenty-six feet or less in width between walls or bearings, the minimum thickness in inches of all independent surrounding or dividing walls, in the same carrying the loads of floors shall not be less than specified in Section 40. When the above walls are used for party walls in non-fireproof buildings, the twelve inch sections of the walls shall have corbeled ledges to carry the ends of the beams, or be increased in thickness to not less than sixteen inches, and the beams entering the walls shall be staggered. If the beams do not rest on corbeled edges, or are not so staggered, the twelve and sixteen inch sections of the wall shall be increased to not less than twenty inches. When used for party walls in fireproof buildings; no portion of the walls shall be less than sixteen inches in thickness.

Section 43. The front, rear, and party walls of any building hereafter to be erected, shall be anchored to each other every ten feet in their height, by tie anchors, made of at least one and a quarter inch by three-eighths of an inch wrought iron. The said anchors shall be built into the side or party walls not less than thirty-six inches; and into the

front and rear walls at least one-half the thickness of the front and rear walls so as to secure the front and rear walls to the side and party walls. All party walls shall be carried up to a height of not less than two and one-half feet above the roof covering, with the full thickness of the party wall, and shall be capped with stone or iron, securely fastened; and where there is a flat, hip or pitch roof, the party wall shall be carried up to a height of not less than two and one-half feet above the roof covering, at every part of said roof, and shall be corbelled at least twelve inches, or into the outer edge of all projections on the front or rear walls of the buildings.

Section 44. If it becomes desirable to cut a doorway through any party wall separating two buildings, a notice of the intention to do so shall be filed with the Inspector of Buildings. Said doorway shall be closed by two sets of self-closing wrought iron or metal covered fire doors, hung to rebated iron frames, and separated by the thickness of the wall. And whenever such doorway ceases to be used, it shall be immediately filled up with masonry.

Section 45. No continuous vertical recess of more than four inches in depth shall be made in any twelve inch party wall, and no recess of any kind shall be made in any eight-inch party wall. All such chases shall be filled in solid at each floor level and 5" above.

Section 46. All piers shall be built of stone, or of hard, well burnt brick, and laid in cement mortar well wet when laid. Isolated brick piers under all lintels, girders, iron or other columns shall have a cap-stone at least twelve inches thick, or plate of iron two inches thick, and full size of the pier. For an external brick pier, the plate may be reduced sufficiently in size to allow four inches of brick work to intervene between the edge or edges of the plate, and the face or faces of the pier exposed to the weather. Columns supported by brick walls or piers shall rest upon an iron plate or upon a granite cap-stone at least twelve inches thick, of a size satisfactory to the Inspector of Buildings. Under metal columns, in all cases there shall be an iron plate of not less than one and one-half inches in thickness.

Section 47. In all buildings over sixty feet deep without a cross wall, of proper piers and buttresses, reinforcing the walls, the walls shall be increased in thickness four inches more than is specified for the thickness of the walls for every sixty feet in depth.

Section 48. If the clear span between walls from wall to partition or bearing opposite is to be over twenty-six feet, then the bearing walls shall be increased four inches in thickness for every thirteen feet or fraction thereof that the said span is over twenty-six feet; or instead of increased thickness

of walls, piers or buttresses may be incorporated in the walls to the satisfaction of the Inspector of Buildings.

Section 49. If any horizontal section through any part of a bearing wall of any building shows an excess in area of flues and openings, the said bearing wall shall be increased in thickness to the satisfaction of the Inspector of Buildings.

Section 50. Fire walls and party walls over fifteen feet high shall have parapet walls not less than eight inches in thickness and carried two feet above the roof unless otherwise provided in this chapter, but for warehouses, factories, stores, and other buildings used for commercial or manufacturing purposes, the parapet walls shall be not less than twelve inches in thickness.

Section 51. All roof or floor timbers of wood entering the same party or fire wall from opposite sides shall have at least six inches of solid brickwork between the sides or ends of said timbers, and to have at least eight inches of brickwork beyond end of timbers.

Section 52. All lintels used to support walls or other weights over openings, shall be of sufficient strength and bearing to carry the superimposed weight, and shall, where supported at the end by brick walls or piers, rest upon a steel plate of proper size and thickness to distribute the load.

Section 53. No timber shall be used in any wall

of any building where stone, brick or iron is commonly used. No wooden lintels for supporting masonry shall be allowed under any circumstances.

All structural metal supporting masonry shall have protecting covering of brick, terra cotta or concrete installed in an approved manner. Bottom of lintels shall have two-inch protection outstanding edges of plates and flanges one-inch, webs two inches. All columns supporting masonry shall have at least two-inch protection.

Section 54. All new buildings exceeding two stories in height to be used for manufacturing, storage or mill purposes shall have a sprinkler system installed which shall be in accordance with rules and requirements of the regulations of the National Board of Fire Underwriters governing the installation of Automatic and Open Sprinkler Equipments, Edition of 1915.

Section 55. All chimneys, whether within or without the fire limits, shall be built of brick, or other fireproof, incombustible material, and in no case shall rest upon any flooring without a footing of masonry or iron supported by iron beams, having a secure bearing of masonry or iron at either end. All chimneys shall be constructed with either eight inch brick walls or with four inch brick work and a terra cotta flue lining set in cement. Brick chimneys shall be smoothly plastered with mortar on the outside below the roofing. In no case shall

a nail be driven into the masonry of any flue. All flues shall be guarded by either a double collar of metal or a recess, leaving two inches of space around the flue. No drain pipe or earthen ware of any description shall be used for horizontal flues, but all flues of this kind shall be made of iron pipe laid in brick and mortar, or a double galvanized iron pipe; the air space between the pipes to be not less than two inches. All flues shall be topped out at least four feet above the roof of the building in which they belong, and all chimneys shall be covered with a cap of metal or stone properly secured. No soft brick shall be used on the exterior above the roof or on the interior within three feet of the roofing in the construction of chimneys. No smoke-pipe or flue shall project through any external wall or through any window, door or other opening in said wall, and no stove funnel shall project through any partition or floor unless the same is safely and securely surrounded by brick or stonework. Hearths or fireplaces or grates shall not be less than eight inches thick and shall be laid upon brick or other trimmed arches, or upon bars of iron supporting a bed of brickwork.

Section 56. All funnel receivers shall be built into the chimneys at the time of their construction. All chimneys shall have at their base an ash door, or some opening sufficient to enable them to be readily cleaned. If any chimney, flue or heating

apparatus shall be dangerous or unsafe, the Inspector shall at once notify, in writing, the owner, agent or other party, having an interest in said premises, and shall require him to make safe, immediately. All woodwork shall be kept away at least two inches from any chimney.

Section 57. In no part of the City shall any building be erected hereafter, in which chimneys, boilers or heating apparatus of any kind are used, or are to be erected and maintained, nor shall any alterations be made in chimneys, or flues already erected, without notice to the Inspector before such changes or alterations are commenced, and this provision shall apply to all buildings raised, moved or built upon.

Section 58. In all cases where ranges or boilers are set, the outside of the flue to the same shall be plastered on the outside directly upon the bricks up to the ceiling of the room, and no woodwork shall be placed on the outside thereof.

Section 59. Depositions for ashes in the interior or attached to the exterior of any building shall be built of incombustible material throughout.

Section 60. In all cases where hot water, steam, hot air, or other furnaces or ranges are hereafter placed, or their location changed in any building, due notice shall be first given to the Inspector by the person or persons placing such furnace or range in said building.

Section 61. No wood-work shall be placed at a less distance than one inch from any tin or other metal flue, or flues, pipe or pipes, used or intended to be used, to convey heated air in any building, unless protected by a soapstone or earthen ring or tube, or metal casing so constructed as to permit the free circulation of air around said flues or pipes.

Section 62. Fourth class buildings are not required to have more than one means of egress from the upper story, but all other buildings of all classes shall have at least two stair cases from each story located to the satisfaction of the Inspector.

Section 63. In all third class buildings the stairways shall throughout be protected by the walls being nogged or filled solid with terra cotta, concrete or other incombustible material filled in between the wood construction, and the plastering in such staircase halls, including the soffits of stairs, shall be on metal lath.

Section 64. Every building used for manufacturing, storage or mill purposes shall have means of egress satisfactory to the Inspector with at least two stairways from each story located as far apart as possible but in no case more than one hundred feet apart. If the building is more than two stories in height there shall be in addition centrally located a tower stairs entered independently from each story from without, and enclosed by walls of

fireproof construction throughout. No winders shall be allowed. The stairs in this tower may be of wood, provided they are properly fire stopped and the soffits thereof are wire lathed and plastered throughout, including under the landings.

Section 65. In all buildings intended or used for manufacturing, storage or mill purposes, all vertical shaft openings in floors shall be thoroughly stopped or enclosed by fireproof partitions with fire doors giving access and egress thereto. A brick nogged partition plastered on wire lath will be considered as being fireproof for this purpose.

Section 66. No exterior fire escapes of the grille type will be permitted on any building. Exits must be sufficient in number and arrangement to afford safety to the occupants, and be satisfactory to the Inspector.

Section 67. Bay windows in first or second class buildings, must be constructed entirely of fireproof materials.

Section 68. In connection with buildings, the walls of which are required to be covered with slate, tile, metal or other incombustible material, this protection shall apply to all finish at the corners of walls and to all cornices and rake mouldings. If metal is used for this purpose it must be of weight, construction and form of application, approved by the Inspector of buildings.

Section 69. In any building intended or used

for manufacturing, storage, or mill purposes, all opening in walls nearer than seven and one-half feet to the line of the adjoining lot or nearer than fifteen feet to any other building on the same lot shall be fitted with metal or metal covered doors and frames, sash with windows of metal or metal covered frames and glazed with wire glass.

Section 70. In buildings of first or second class construction used for other than human habitation all window openings, which are in a wall nearer than five feet to the line of an adjoining lot or nearer than ten feet to any other building on the same lot shall have metal or metal covered frames and doors or sash, and such sash shall be glazed with wire glass.

Section 71. In all buildings exceeding one story in height, the first story of which is used for commercial, mercantile or manufacturing purposes and above the first story as a place of public assembly, offices or habitation shall have all walls and ceilings of basement and first story plastered with Portland cement plaster applied on metal lath or sheet metal applied on gypsum plaster boards.

Connections between the mercantile and other portions shall be only through standard, self-closing fire doors.

If only a portion of the first story is so used, this protection shall apply only to that portion of basement and first floor so used.

Section 72. Spaces between and behind all furring on masonry walls shall be filled solid with brick and mortar or other incombustible material for a space of five inches in height above floor beams. Spaces between studding of all exterior walls other than masonry shall be stopped with similar material from the bottom of the floor beams to five inches above the top of same. Filling material may be supported on strips of wood nailed between the studding. Where walls are studded off, the space between the inside face of the wall and the studding shall be fire-stopped with fireproof material placed on the underside of the wood beams above for a depth of not less than four inches, and securely supported on the beams directly over the studded-off space shall be fire-stopped with not less than four inches of fire proof material, which may be laid on boards cut in between the beams. The Building Inspector must be notified when any structure is ready for lathing.

Section 73. Spaces between parts of the floor beams that rest upon bearing stud partitions shall be filled in solid with incombustible material to the depth of the beams, and where the partition continues above the floor, to a height of five inches above the top of the beams. Spaces between stringers of stairs and beams of landings, unless unceiled or of fire proof construction, shall be stopped solid with wood, brick, or terra cotta, or other approved

material as often as twice to each flight of stairs. The various forms of construction tending to create or form air passages from one story to another such as spaces around pipes, ventilating shafts or chimneys, shall have a fire and smoke stop at each floor, of incombustible material.

Section 74. All vertical shafts whether for passage of merchandise, for heating or ventilation, for elevators, dumb waiters, lifts, or for light or air, pipes, wires and other similar purposes shall be constructed in such manner as to be fire-resisting throughout, if of other than first class construction, spaces between any wooden studs or furrings must be filled solid with gypsum, cement or terra cotta blocks in addition to which the inner surface must be plastered throughout with Portland cement plaster upon metal lath. All openings into such shafts must be protected by metal or metal covered doors, shutters, or windows, and where glass is used in such openings, it must be wire glass. All clothes and dust chutes shall be lined with metal in addition to the above requirements for shafts.

Section 75. Every furnace, boiler or steam heating apparatus shall be thoroughly protected against the spread of fire. If enclosed in a separate compartment the walls and ceilings shall be of Portland cement plaster upon metal lath throughout the whole room, or of fire proof material. If the heating apparatus is placed in an undivided cellar, this

fireproofing shall be required only on the ceiling. Such construction is required to be extended only over the boiler or heating apparatus itself and over a space of six feet outside of same in all directions. But if any wooden partitions are within six feet of said boiler and heating apparatus, such partitions shall be plastered with Portland cement plaster on metal lath.

Section 76 (a). In all buildings other than first class not completely equipped with a system of automatic sprinklers, no single floor area between brick fire walls in a second class building shall exceed seven thousand five hundred square feet or in a mill frame building shall exceed five thousand square feet, with a full equipment of automatic sprinklers these areas may be increased 66 2-3 per cent. No floor area shall be increased by cutting through a fire wall unless said opening is protected by two self-closing standard fire doors, one on each side of wall. No single opening shall be of greater width than eight feet nor more than ten feet in height, and there shall be not less than two feet between top of opening and ceiling line. The combined width of all openings in any one wall on one floor shall not exceed fifty per cent of the length of wall.

(b). Except as above provided, the following classes of buildings enclosed by exterior and fire walls or by exterior walls, shall not be in excess of the following areas:

Third class, three thousand square feet.

Fourth class, within fire limits, two thousand square feet.

Fifth class, one family, one thousand five hundred square feet; more than one family, three thousand feet.

Section 77. The required dimensions of each piece of material and of each form of construction to be used in buildings and allowable fibre stresses shall be computed according to rules prescribed by recognized modern authorities supplemented by those which may be promulgated by the Inspector.

Section 78. (a). All roofs or floor timbers entering the same party wall from opposite sides shall have at least six inches of solid brick-work between the ends of said timbers.

(b). All floor and roof timbers in mill construction shall rest on iron column caps and self releasing when supported by masonry walls.

(c). Every floor in second class buildings shall have its beams tied to walls and to each other with wrought iron straps or anchors at least three-eighths of an inch thick by one and one-half inches wide, and not less than eighteen inches long, so as to form continuous ties across the building not more than ten feet apart. Walls running parallel or nearly parallel with floor beams shall be properly tied every ten feet with straps or anchors as above specified.

(d). Every wooden header or trimmer more than four feet long shall be carried on metal hangers or mortised and pinned.

(e). No floor timber to be cut at a greater distance than three feet from support, nor more than one and one-half inches deep on the upper edge unless approved by the Inspector. Cutting on the under side will not be allowed.

(f). No main partition timber, girder or tie beam, of any kind, will be allowed to be cut for any reason.

(g). No fourth class structure shall have sills of timber smaller than six by six inches, posts or girts than four by six inches; girders six by eight; plate four by four inches; ledger boards one by seven inches. Posts not to exceed twenty-one feet in length and not over fifteen feet apart, braced at each story. Studs in outside walls shall be not less than two by four inches, set sixteen inches on centres; window studding not less than three by four inches, all openings five feet or more in width, to be trussed. Interior bearing partitions to have studs not less than two by four inches set sixteen inches on centres, bridged double at all openings and trussed over and set directly on girder or caps. Floor timbers to be bridged every eight feet of span. No floor timbers sized to a greater depth than one inch.

Section 79. All floor and stairs shall be so con-

structed as to carry safely the weight to which the proposed use of the building may subject them, and every permit granted shall state for what purpose the building is designed to be used, but the least capacity per superficial square foot, exclusive of materials, shall be:

For floors of houses of habitation fifty pounds. Rooms in tenement or lodging houses and hotels exceeding 500 square feet, one hundred pounds.

For floors of assembly halls, one hundred pounds.

For floors of dance halls, one hundred pounds.

For floors of school rooms, fifty pounds, except floors of assembly rooms or halls, one hundred pounds.

For floors of light manufacturing, light storage, and light mercantile, one hundred and twenty-five pounds.

For floors and offices above first floor eighty pounds, first floor one hundred pounds.

For floors of heavy warehouses or mercantile, two hundred pounds.

For stairways, seventy-five pounds.

For flat roofs, forty pounds.

For floors of public garages, one hundred and fifty pounds.

For buildings not included in the above table, the building inspector shall establish allowable live loads.

The full floor load specified in this section shall

be included in proportioning all parts of buildings designed for warehouses or for heavy mercantile and manufacturing purposes. In other buildings, however, reductions may be allowed as follows:

For girders carrying more than one hundred (100) square feet of floor, the live load may be reduced ten (10) per cent.

For columns, piers, walls and other parts carrying two floors, a reduction of fifteen (15) per cent of the total live load may be made; where three floors are carried, the total live load may be reduced by twenty (20) per cent; four floors, twenty-five (25) per cent; five floors, thirty (30) per cent.

Section 80. All roofs must be covered with slate, tile, terra cotta, metal, or other material designated by the National Board of Fire Underwriters as Class A or Class B, and have incombustible ridge and hip coverings, provided, however, on repair work a roof may be covered with fire resisting material satisfactory to the Inspector if in his opinion the design of said roof is such that a light weight covering is necessary. All gutters shall be of metal except that on ordinary frame buildings wooden gutters may be used if lined with 16 oz. copper.

Section 81. No wooden construction of any sort except dormer windows, shall be allowed above the roof of any structure, in case it is desired to install arrangements for drying clothes, the supporting members shall all be of metal or metal covered throughout.

Section 82. All dormer windows shall be covered with incombustible material throughout. Dormer windows in roofs of second class buildings may be constructed with wooden walls, but must be covered throughout with incombustible material, and have metal or incombustible cornices. Dormer windows in buildings of first class construction must be of first class construction throughout.

Section 83. All skylight frames shall be of metal or metal covered.

Section 84. The finish about doors and windows, also porches and piazzas may be constructed of and finished in wood, but the roofs of such covered piazzas or porches shall be as specified for the main roofs of houses.

Section 85. All buildings hereafter erected within eight feet of any street or travelled way, shall be provided with suitable leaders for conducting the water from the roof to the ground, and in no case shall such water be allowed to flow upon or across the surface of the sidewalk to the street, gutter or sewer. No person shall permit a leader or conductor from the roof of a building owned by him, to be so placed or maintained as to direct a volume of water upon or across the surface of a sidewalk.

Section 86. All buildings hereafter erected upon the line, or within five feet of the line, of any street or public way, and having a pitch roof sloping

towards said street or way, shall be provided with suitable snow guards or barriers upon said roof sufficient to prevent the snow or ice sliding therefrom.

Section 87. No wooden or frame building except a fourth class building shall be hereafter erected in the fire limits, nor shall any wooden or frame building standing in said limits be added to, altered, raised, roofed, enlarged, or built upon, except as hereinafter provided. All such buildings within said limits shall be built with posts, girts and plates properly mortised, tenoned, braced and pinned in each story, and supported by suitable studding, the posts and girts to be not less than four by eight inches, or equivalent thereto. No ledger boards shall be used in place of girts where the posts exceed fifteen feet in height.

No such fourth class building shall cover an area of more than two thousand square feet.

Section 88. Whenever the Inspector receives notice of the intention to erect any building or alter the external walls of any building within the fire limits, within ten feet of the line of any street, he shall forthwith notify the City Council thereof, in order that any encroachment or other injury to the streets may be prevented and so that steps may be taken to widen or improve such streets if deemed desirable.

Section 89. No wooden or frame building which

exceeds eighteen feet in height shall be removed from within or without said fire limits to any location within said limits, except with the consent of the City Council and provided further that the construction of such building after its removal, shall conform to the requirements for similar buildings to be erected within the fire limits.

Section 90. No person shall build any portico, porch, bay window, balcony or other projection over the line of any street or way except that if the building is three or more stories in height, the cornice and belt courses may project over said line as follows:

Cornice on such buildings may project over a public street or way not to exceed two feet. Such cornice shall be built entirely of incombustible material and be strongly supported.

All belt courses on such buildings when located at least twelve feet above the sidewalk level, may project over a public way or street not to exceed twelve inches and to be entirely of incombustible material.

Section 91. (a). Frame or other buildings may be altered, extended, raised or repaired, providing the new portions comply with provisions for new buildings and if, when done, will produce a practically new building or the class of building has been changed, then the whole building shall be made to conform to the requirements of this ordinance for a new building of a like class.

(b). Walls of existing frame buildings within five feet of lot lines may be pierced, providing such openings are filled with metal or metal covered frames, sashes and wire glass.

(c.) When it is proposed to increase the height of any existing masonry building, the thickness of all masonry walls shall conform to the requirements of this ordinance. If the thickness of walls are such that they must be increased by additional brickwork or masonry, the combined thickness of old and new work shall be not less than four inches more than the required thickness for a new wall of same height; the additional thickness shall be not less than eight inches and shall rest on and be supported by suitable foundations, it shall be thoroughly bonded into old work after same has been cleaned of old plaster or other covering and well soaked with water.

Section 92. Whenever any building other than a dwelling shall, in the opinion of the Inspector of Buildings be damaged by fire or other cause to an amount exceeding fifty per cent of its value it shall not be rebuilt except in accordance with this ordinance.

Section 93. No furnace for melting iron or making glass; and no stationary steam boiler from which power is to be taken, or any other fuel than coal or coke is to be used to create steam; and no stationary steam engine, shall be hereafter erected

or put up to be used in this city without a license first obtained from the City Council; provided, however, that no such license shall be required for such an engine unless the same is to be erected within five hundred feet of a dwelling house or public building. Such license may be granted on a written application, shall be recorded by the City Clerk in the records of the City, and shall prescribe such regulations as to the height of flues and protection against fire as said Council deem necessary for the safety of the neighborhood. Upon application for such license, the City Council shall assign a time and place for the construction of the same, and cause at least seven days' public notice thereof to be given, at the expense of the applicant, in such manner as they may direct, in order that all persons interested may be heard thereon.

Section 94. All gas mains entering any building shall be equipped with shut off placed outside of foundation walls. Type of shut off and location to be satisfactory to the Inspector of Buildings.

Section 95. No building shall be used for the purpose of picking, sorting or storage of rags, waste paper or paper stock unless such building is of first or second class construction. All window openings shall have metal frames, sashes and glazed with wire glass. All doors and frames to be metal or metal covered. Ceilings in second class construction to be covered with metal lath

and cement plaster not less than $\frac{3}{4}$ inch in thickness. No exposed wood work of any sort in the interior of the building.

Section 96. The City Council may prescribe additional requirements for any buildings to be erected where the safety of life or property, or the public health is involved. Special requirements will also be made for buildings intended for places of assembly of any sort, or for the storage or sale of inflammable materials or for the installation of bakeries, garbage or ash receptacles, or other special construction.

Section 97. Whoever desires to occupy or use a portion of the street or way for the erection, alteration, repair or removal of a building upon land abutting thereon shall make application to the Inspector, who, subject to the consent of the Commissioner of Streets, may grant permits for the occupation or use, for building purposes, of such portions of streets or ways, and for such periods of time, and under such limitations and restrictions, as may be required by ordinance or by public convenience; and any such permit may be revoked by the said Inspector at any time when the holder thereof fails to comply with any rule or regulation under which it is granted, or when in the opinion of said Inspector, the public good requires such revocation. No part of a street or way other than that so allotted shall be used for depositing materials for work to

be done or for receiving rubbish arising for such work, and all such rubbish shall be carried away by the person or persons to whom the permit is granted, at such convenient times as the Commissioner of Streets or the Inspector may direct, and in case of the neglect or refusal of such person or persons so to remove such rubbish, it shall be removed at their expense by the Commissioner of Streets.

Section 98. When such permit is granted, the portion of a street thereby allotted shall be enclosed with a sufficient fence, not less than four feet high, and as much higher as the Inspector shall direct, and such fence shall be maintained during the whole time for which the occupation of such portion of the street continues, and until all liability to accident from falling material ceases, and a lighted lantern or lanterns, or other proper and sufficient lights, shall be attached to some part or parts of such fence, and shall be placed over or near all building materials or rubbish which of necessity are allowed to remain in any street or way over night; which lanterns or lights shall be kept lighted from sunset to sunrise every night that such fence, materials or rubbish remains in such street or way.

Section 99. Whoever maliciously or wantonly, and without legal cause, extinguishes or diminishes a light fixed in accordance with the provisions of

the preceding section shall be liable to a penalty of not less than ten nor more than twenty dollars.

Section 100. Whoever is duly licensed or permitted to occupy a part of the street, while erecting or repairing a building, or making an excavation, or for any other purpose, shall provide a safe and convenient passage for public travel around or over the obstruction so caused, shall be responsible to the City for all injuries sustained in consequence of his neglect so to do, and shall be liable to a penalty of not less than ten or more than twenty dollars for each offence; and he shall at any time, when required by the Commissioner of Streets or by a police officer, exhibit his license or permit for such occupation.

Section 101. The Inspector of Buildings shall in addition to the authority granted in Section 4 of this ordinance, have the additional authority to enforce the following sections of Municipal Bulletin No. 6, containing the

HOUSING ORDINANCE

Section 3. Height. No dwelling hereafter erected shall have more than one legally habitable story for each full ten feet of the width of the street, unless such house be set back from the street a distance equal to the excess of its height over that permitted at the street line. Width of street shall be measured from building line to building line.

On a corner lot the height shall be governed by

the width of the wider street, as above, but this height shall not extend along the narrower street a distance greater than twice the width of said narrower street.

On any street hotels may exceed the legal height of dwellings on said street by not more than two stories, but in no case shall a hotel or any other dwelling exceed seventy feet in height.

Section 4. Yards. Immediately behind every dwelling hereafter erected there shall be a rear yard extending across the entire width of the lot and at every point open and unobstructed from the ground to the sky, except that in the case of hotels the rear yard may start at the floor level of the lowest bedroom story. Every part of such yard shall be directly accessible from every other part thereof. The depth of said yard shall be measured at right angles from the extreme rear of the house towards the rear line of the lot. Where the rear of the lot abuts on a public alley or right of way dedicated to public use for the full width of the lot, the depth of the lot may be measured to the middle line of such alley or right of way; where there is no such alley or right of way the measurements shall be taken to the rear lot line. If the dwelling is four stories or less in height the depth of the yard in the case of interior lots shall be not less than ten feet, and the depth of the yard in the rear of corner lots shall be not less than five feet.

If the dwelling exceeds four stories in height, the depths above prescribed in the case of interior lots shall be increased five feet and in the case of corner lots shall be increased two feet for each story above four stories. In the case of corner lots with streets on three sides, the rear yard need not extend across the full width of the lot, but only to the median line. When a lot upon which a dwelling is built is bounded on every side by a street or abuts at the rear upon a railroad right of way, a cemetery or a public park, the rear yard may be omitted. Any portion of a corner lot distant more than seventy-five feet from the corner line shall be treated as an interior lot.

When rear of tenements have their exposure on side line of lots there shall be left ten feet of open space between said tenement and said side line in addition to the provision for rear yards.

Section 5. Side Yards. A side yard shall be at every point open and unobstructed from the ground to the sky. Cornices are permitted but in no case shall they extend more than eighteen inches beyond the building line. The width of the side yard for dwellings hereafter erected shall be as follows:

(a) In the case of private dwellings and two-family dwellings of second, third, fourth or fifth class (See Salem Building Ordinance, Sections 21 to 24 inclusive) which do not exceed two and one-half stories in height the width of such side yard

measured to the side lot line shall never be less than five feet in any part.

(b) The provisions of this section do not apply to side yards on the side street of a corner lot excepting the provision as to adjacent basement rooms.

Section 6. Courts. The sizes of all courts in dwellings hereafter erected shall be proportionate to the height of the dwelling. No court shall be less in any part than the minimum sizes prescribed in this section except as provided in Section nine. The minimum width of a court for a dwelling two and one-half stories or less in height shall be ten feet, and the width shall increase one foot for each additional full story above five stories. The length of an inner court shall never be less than twice the minimum width prescribed by this section. The length of an outer court shall never be greater than four times its minimum width prescribed by this section. The depth of all courts adjoining the lot line shall be measured to the lot line and not to an opposite building.

Section 7. Courts open at top. No court of a dwelling hereafter erected shall be covered by a roof or skylight but every court shall be at every point open from the ground to the sky unobstructed, "except that in the case of hotels, courts may start at the floor level of the lowest bed-room story; and in the case of other multiple-dwellings where there are stores or shops on the entrance story, courts may

start at the top of such entrance story."

Section 8. Air-Intakes for Courts. "In all dwellings hereafter erected every inner court shall be provided with one or more horizontal air-intakes at the bottom. One such intake shall always communicate directly with the rear yard and shall consist of a passageway not less than three feet wide and seven feet high which shall be left open, or be provided with an open gate at each end."

Section 9. Extensions or Offsets to Courts. Extensions or offsets to courts in dwellings hereafter erected are permitted for the purpose of lighting kitchenettes, pantries, bathrooms and water-closets only; but no such extension or offset shall be less than six feet in width in any part; its depth may be less but never greater than its width. Such dimensions shall be deemed the minimum dimensions for a dwelling two and one-half stories in height or less, and shall increase one foot for each full story above two stories.

Section 10. Angles in Courts. Nothing contained in the foregoing sections concerning courts shall be construed as preventing the cutting off of the corners of said courts, provided that the running length of the wall across the angle of such corner does not exceed seven feet.

Section 11. If a dwelling house is built behind or in front of another dwelling house on the same lot there shall be left between the two buildings a

yard extending across the full width of the lot and the distance between the two buildings shall be not less than fifty per cent greater than the depth required herein for a rear yard for a building of the height of the higher of the two buildings. There shall be behind the rear dwelling a rear yard as herein required, and if this rear yard does not have access directly to a street, alley or other public way then there shall be a passageway not less than ten feet wide leading from the yard between the two buildings directly to a street, alley or other public way. The rear dwelling house shall in no case be built to a greater height than is permitted for the front dwelling house.

Where a dwelling is erected by the side of but not contiguous to another building on the same lot there shall be left between the two buildings a space equal to the side yard or yards herein required for the two buildings.

Section 12. Rooms, Lighting and Ventilation of. In every dwelling hereafter erected every room shall have at least one window opening directly upon the street, or upon a yard or court of the dimensions specified in this article and located on the same lot, and such window shall be so located as to properly light all portions of such room. This provision shall not, however, apply to rooms used as art galleries, swimming pools, gymnasiums, squash courts or for similar purposes, nor to public rooms

in hotels, provided such rooms are adequately lighted and ventilated.

Section 13. Window Area in Rooms. In every dwelling hereafter erected the total window area in each room shall be at least one-seventh of the superficial floor area of the room, and the whole window shall be made so as to open in all its parts. At least one such window shall be not less than twelve square feet in area between the stop beads. In multiple-dwellings the top of at least one window shall be not less than seven feet above the floor.

Section 14. Rooms, Size of. In every dwelling hereafter erected all rooms, except water-closet compartments and bath-rooms, shall be of the following minimum sizes; every room shall contain at least ninety square feet of floor area; no room shall be in any part less than seven feet wide. In multiple-dwellings of Class A in each apartment, group or suite of rooms there shall be at least one room containing not less than one hundred and fifty square feet of floor area.

Section 15. Room, Height of. No room in a two-family or multiple-dwelling hereafter erected shall be in any part less than eight feet high from the finished floor to the finished ceiling, except that a half-story room need be eight feet in height in but one-half of its area.

Section 16. Alcove Rooms. Every alcove room in a dwelling shall have an opening into the main

room of not less than sixty per cent. of the length of the wall of the room on that side, and shall not exceed seven feet in depth. The height of the alcove shall not be less than that of the room into which it opens.

Section 17. Privacy. In every dwelling hereafter erected, access to every living room and to every bedroom and to at least one water-closet compartment shall be had without passing through a bedroom.

Section 18. Common Hallways, Lighting and Ventilation of. In every dwelling hereafter erected, except hotels, every common hallway and stair hallway shall have at each story at least one window containing not less than twelve square feet opening, measured between stop beads, opening directly upon the street or upon a yard or court of the dimensions specified in this ordinance and located on the same lot. Such window in a common hallway shall be at the end of said hallway with the natural direction of the light parallel to the hallway's main axis. The top of such a window shall be not less than seven feet above the floor, and shall be made so as to open in all its parts. A sash door containing an equal amount of glazed surface shall be deemed the equivalent of a window in this section. In every multiple-dwelling three or more stories in height hereafter erected there shall be in the roof directly over each stair well a venti-

lating skylight provided with ventilators, having a minimum opening of forty square inches and with fixed or movable louvres.

Section 19. Outside Porches. In dwellings hereafter erected, roofed-over outside porches which extend above the top of the entrance story shall not be erected outside of and adjoining windows required by this ordinance for the lighting or ventilation of rooms or hallways; they may, however, open from windows or doors supplementary to these required by this ordinance, provided they do not diminish the required amount of light and ventilation of such rooms. The term "outside porches" shall include outside platforms, balconies and stairways. All such outside porches shall be considered as parts of the building and not as parts of the yards or courts or other unoccupied area.

Section 22. Cellars, Damp Proofing and Lighting of. In every dwelling hereafter erected the walls below the ground level and the cellar or lowest floor shall be made damp proof to the satisfaction of the Inspector of Buildings. All cellars in dwellings hereafter erected shall be properly lighted with windows and ventilated in all their parts to the satisfaction of the Board of Health, and shall not be occupied for living purposes.

Section 25. Water-closets. In every dwelling hereafter erected there shall be a separate water-closet. Each such water-closet shall be placed in a

compartment entirely separated from every other water-closet; such compartment shall be not less than three feet wide, and shall be enclosed with partitions which shall extend to the ceiling. Every such compartment shall have a window opening directly upon a street, or upon a yard or court of the minimum sizes prescribed by this ordinance and located upon the same lot.

In two-family dwellings and in multiple-dwellings of Class A hereafter erected there shall be a separate water-closet arranged and constructed as above provided located within each apartment, suite or group of rooms; except that where there are apartments of but one or two rooms there shall be at least one water-closet for every two such apartments, and such water-closet shall not open into any apartment but shall be accessible through a common hallway, and the door thereof shall be provided with lock and keys, and such compartments and water-closet shall comply in all other respects with the provisions of this ordinance.

Nothing contained in this section shall be so construed as to prohibit in any dwelling a general toilet room containing several water-closet compartments separated from each other by dwarf partitions, provided such toilet room is for the use of one sex only and is adequately lighted and ventilated to the satisfaction of the Board of Health, and that such water-closets are supplemental to the

water-closet accommodations required by other provisions of this section. In multiple-dwellings every water-closet compartment shall be provided with proper means of lighting the same at night. No drip trays shall be permitted on any water-closet. No water-closet fixture shall be enclosed with any woodwork. No water-closet shall be placed out of doors; nor in the cellar of any multiple-dwelling without a written permit from the Board of Health, and then only in case such cellar closet is lighted and ventilated as provided in Sections twelve and thirteen.

Section 27. Percentage of Lot Occupied. No dwelling shall hereafter be enlarged or its lot diminished, or other building placed on its lot, so that a greater percentage of the lot shall be occupied by buildings or structures than provided in Section 27 of the Salem Building Ordinance.

Section 29. Yards. No dwelling shall hereafter be enlarged or its lot be diminished, or other building placed on the lot, so that the rear yard or side yard shall be less in size than the minimum sizes prescribed in Sections four and five of this ordinance for dwellings hereafter erected.

Section 30. New Courts in Existing Dwellings. Any court hereafter constructed in a dwelling erected prior to the passage of this ordinance used to light or ventilate rooms or water-closet compartments shall comply in all respects with the require-

ments of Sections six to ten of this ordinance.

Section 31. Additional Rooms and Hallways. Any additional room or hallway that is hereafter constructed or created in a dwelling shall comply in all respects with the provisions of Part 2 of this ordinance, except that it may be of the same height as the other rooms on the same story of the dwelling.

Section 32. Lighting and Ventilation. No dwelling shall be so altered or its lot diminished that any room or common hallway or stairs shall have its light or ventilation diminished in any way not approved by the Board of Health.

Section 33. Alcove Rooms. No part of any room in a dwelling shall hereafter be enclosed or sub-divided so as to make an alcove room, unless such room complies with the requirements of Section sixteen of this ordinance.

Section 34. Skylights. All skylights hereafter placed in a multiple-dwelling shall be provided with ventilators having a minimum opening of forty square inches and also with either fixed or moveable louvres or with movable sashes, and shall be of such size as may be determined to be practicable by the Board of Health.

Section 35. Water-closet Accommodations. Every water-closet hereafter placed in a dwelling, except one provided to replace a defective or antiquated fixture in the same location, shall comply with the provisions of Section twenty-four of this

ordinance relative to water-closets in dwellings hereafter erected. Except that in the case of a new water-closet installed on the top floor of an existing dwelling, a ventilating skylight open to the sky may be used in lieu of the window required by Section twenty-four.

Section 40. Shafts and Courts. In every multiple-dwelling there shall be at the bottom of every shaft and interior court a door giving sufficient access to such shaft or court to enable it to be properly cleaned; provided that where there is already a window giving proper access to such shaft or court, such window shall be deemed sufficient.

Section 41. The Board of Health may require that common hallways in multiple-dwellings be lighted during such hours of the day or night as in their opinion may be necessary.

Section 42. Water-closets in Cellars. No water-closet shall be permitted in the cellar of any multiple-dwelling, except as provided in Section twenty-four.

Section 43. Basement and Cellar Rooms. The provisions of the Salem Building Ordinance, Section 39 to apply.

Section 44. Water-closets and Sinks. In all dwellings the floor or other surface beneath and around water-closets and sinks shall be maintained in sanitary condition to the satisfaction of the Board of Health.

Section 45. Repairs and Drainage. Every dwelling and all the parts thereof shall be kept in sanitary condition and all rain water shall be so drained and conveyed therefrom as not to cause dampness in the walls and ceilings.

Section 46. Water Supply. Every dwelling shall have within it at least one proper sink with running water furnished in sufficient quantity at one or more places exclusive of the basement and cellar. In two family dwellings and multiple-dwellings of Class A there shall be at least one such sink, accessible to each family on the floor occupied by said family without passing through any other apartment.

Section 47. Cleanliness of Dwelling. The owner or occupants of every dwelling shall cause every part of such dwelling to be kept clean and free from any accumulation of dirt, filth, garbage or other refuse matter in or on the same, or in the passages, areas, yards, courts and alleys appurtenant thereto. Such owner or occupant shall thoroughly cleanse or cause to be cleansed any part of such dwelling or premises whenever ordered so to do by the Board of Health.

Section 48. Receptacles for Ashes, Garbage and Rubbish. The owner or occupants of every dwelling shall provide and maintain for said dwelling proper and suitable water-tight metal receptacles, with covers, for holding garbage. Chutes and bins for garbage are prohibited.

Section 49. Prohibited Uses. (Regarding Animals). The provisions of the Salem Board of Health Rules and Regulations, Regulations 39 and 40 to apply.

Section 50. Materials detrimental to Health. No dwelling nor any part thereof, nor of the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any article dangerous or detrimental to life or health.

Section 51. Certain Dangerous Businesses. There shall be no transom, window or door opening into a common hallway from any part of a multiple-dwelling where paint, oil, drugs or spirituous liquors are stored or kept for the purpose of sale or otherwise. This provision shall not apply to hotels.

Section 52. Janitor or Housekeeper. In any multiple-dwelling in which the owner thereof does not reside, there shall be a janitor, housekeeper or other responsible person who shall have charge of the same, if the Board of Health shall so require.

Section 53. Overcrowding. The provisions of the Salem Board of Health Rules and Regulations, Regulation 25 to apply.

Section 54. Lodgers. No dwelling, nor any part thereof, shall be used for the letting of more than six lodgings without the consent in writing of the Board of Health, and except in multiple-dwellings of Class B such consent shall not apply to more than eight persons.

Section 55. Lot requirements. In addition to the requirements of Sections two to five inclusive of the Building Ordinance, before the construction or alteration of a dwelling is commenced, and before the construction or alteration of any building or structure on the same lot with a dwelling, the owner or his agent or architect shall submit to the City Engineer and Building Inspector a plan of the lot showing the dimensions of the same, the location of the proposed building and all other buildings on the lot, such plan to be made upon blanks or forms to be furnished by the Building Inspector.

After such plan has been approved by the Building Inspector the area of land described in such plan shall be deemed a lot for the purposes of this ordinance; excepting that in every case the size and dimensions of such lot shall be such as to comply with the other requirements of the ordinances.

Section 56. Buildings converted or altered. A building not a dwelling if hereafter converted or altered to such use, shall when so altered conform to the requirements for new construction and shall thereupon become subject to all the provisions of this ordinance relative to dwellings hereafter erected. A dwelling of one class if hereafter altered or converted to another class shall, when so altered, conform to all the provisions of this ordinance relative to such other class.

Section 57. Alterations and change in occupan-

cy. No dwelling hereafter erected shall at any time be altered so as to be in violation of any provision of this ordinance. And no dwelling erected prior to the passage of this ordinance shall at any time be altered so as to be in violation of those provisions of this ordinance applicable to such dwelling. If any dwelling or any part thereof is occupied by more families than provided in this ordinance, or is erected, altered or occupied contrary to the provisions of this ordinance, the Board of Health shall cause such dwelling to be vacated. And such dwelling shall not again be occupied until it or its occupation, as the case may be, has been made to conform to the law.

Section 102. Whoever violates any of the provisions of this ordinance shall be liable to a penalty not exceeding one hundred dollars for each violation thereof, unless another penalty is herein specifically provided.

Section 103. All ordinances or parts of ordinances inconsistent with the foregoing are hereby repealed.

A true copy.

Attest: J. CLIFFORD ENTWISLE, City Clerk.

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